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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BAM L.P.,

MICHAEL MANN, and

MERYL MANN,

Defendants.

Adv. Pro. No. 10-04390 (SMB)

NOTICE OF PRETRIAL CONFERENCE

PLEASE TAKE NOTICE that on November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”) (ECF No. 3141). Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, in this adversary proceeding on November 30, 2010 (Adv. Pro. No. 10-04390, ECF No. 2), the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter;

PLEASE TAKE FURTHER NOTICE that on March 10, 2015, Defendants BAM L.P., Michael Mann, and Meryl Mann (the “Defendants”) filed an Answer to Trustee’s Complaint (ECF No. 40) and pursuant to the Avoidance Procedures the Trustee and Defendants (the “Parties”) commenced discovery, which was completed on February 5, 2015;

PLEASE TAKE FURTHER NOTICE that pursuant to the Avoidance Procedures, on February 2, 2016, the Trustee filed a Notice of Mediation Referral (ECF No. 49), wherein the Parties jointly agreed to enter mediation and, on January 17, 2017, the mediation was completed without a settlement between the Parties;

PLEASE TAKE FURTHER NOTICE the mediator filed her final report on January 24, 2017 indicating that the mediation was unsuccessful (ECF No. 63);

PLEASE TAKE FURTHER NOTICE that pursuant to Section 7 of the Avoidance Procedures concerning scheduling a pretrial conference and trial, which provides that after all discovery has been completed and after the completion of mediation without a settlement, the

parties to the Avoidance Action shall so inform the Court at the next scheduled Avoidance Actions Omnibus Hearing;

PLEASE TAKE FURTHER NOTICE that the pre-trial conference in the above-referenced adversary proceeding has been scheduled for March 29, 2017, at 10:00 a.m.;

PLEASE TAKE FURTHER NOTICE that the above-referenced hearing will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge and all trial counsel are required to attend.

Dated: March 17, 2017
New York, New York

BAKER & HOSTETLER LLP

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